STATE RATE LAWS GET COURT'S O. K.

Held Invalid Only Where Operation Is Shown to Be Confiscatory.

ONLY KENTUCKY'S CASE REMAINS TO BE DECIDED

West Virginia Sustain Their Right to Act.

The Supreme Court of the United States of the capital. today upheld the validity of Missouri's maximum freight and two-cent passenger state; upheld similar laws in Arkansas, and held that the state freight rates established in Oregon, and the two-cent passenger law of West Virginia did not interfere with interstate commerce. No claim had been made that these laws

cision of the court in each instance. perienced this season-and today is June the steel company and a band played ap-He failed to announce a decision of the court in the Kentucky rate case. All claims that the state laws in question interfered with interstate commerce were swept aside, following the precedent set in the Minnesota rate decision of a week ago.

Confiscation Not Shown.

and in the Arkansas case the court held the railroads had presented too of Washington street cars were willing battleship Arkansas, to await at New general data on which to base a claim to admit that it was warm, and the York Dr. Lauro Muller, Brazilian mingeneral data on which to base a claim that their property was being taken cars, where the breezes that made the without compensation through the operation of the new rates. In the Missouri cases the court held the rates confiscatory on the St. Louis

and Hannibal, Kansas City, Clinton and Springfield and Chicago Great Western railroads. The decision holding the rates confiscatory as to the Chicago Great Western was made to apply, by virtue of stipulation between the state and the railroads, to the Quincy Omaha and Kansas City railroad and the St. Joseph and Grand

Island railway. The decision was based upon the two-

Valid as to Other Roads.

The court held the rates valid as to the Louis Southwestern, the Missouri Pacific, the St. Louis, Iron Mountain and Southern, the Wabash, the Chicago, Milwaukee and St. Paul, the Chicago and Alton, the Chicago, Burlington and Quincy, the Atchison, Topeka and Santa Rock Island and Pacific (including the St. Louis, Kansas City and Colorado, and the St. Louis and San Francisco. In each of these cases the decrees of the lower court in favor of the rail-

roads, were reversed. Justice Hughes, who announced the decision, held that the point sought to e made by the railroads to the effect that the Missouri rates were an interference with interstate commerce must be decided against them for the same reasons given by the court in the Minnesota rate cases.

Power of State Upheld.

The constitutionality of a state twocent passenger law or a maximum freight law was determined in the Minnesota case, where the court held that a state had a right to pass such laws, provided the rates imposed under them were not confiscatory. This same application was made to the Missouri

The decision is a partial victory for Missouri, as the lower court had held the rates confiscatory on all the roads. In the cases in which the rates were held confiscatory the Supreme Court today modified the lower court's decree so that the railroad commissioners and the attorney general of the state may apply to the court for further action whenever it shall appear that by reason of a change in circumstances the rates fixed by the state's acts are sufficient to yield

Court Left in Dark.

Justice Hughes took up the Burlington case first. He said that the court was left in the dark as to the value of the road. The taking of the assessment for taxation purposes as a basis upon which to arrive at rate value he declared was too uncertain upon which to base a claim of confiscation. He pointed out the assessment value was multiplied by three to reach a value

He showed that if this basis was extended to the whole Burlington system the value upon which rates were to be based would exceed by \$115,000,-000 the capitalization of the system. Justice Hughes took up the apportionment of expenses as being the main point in the controversy, "around which the battle was waged furiously." the state contending for a ten-mile basis and the railroads on a revenue Justice Hughes smiled repeatedly as he

pointed out the inconsistencies of the revenue basis as adopted by the lower court to apportion the cost of interstate and intrastate business. He declared the ap- Mrs. J. D. Methot, a member of the portionment on this basis was too general, when actual tests could be made as to the cost of doing interstate and intrastate business. In the St. Louis and Hannibal, Justice Hughes said neither the experts for vention delegation are H. R. Hayek the railroads nor for the state could find and Mr. and Mrs. G. E. Boyersmith. a basis on which the rates would be re-

Two Suits From Arkansas.

suits brought by the St. Louis, Iron Mountain and Southern Railway Comforcement of the act of the legislature ian. who resides on 1st street northwest, passed February 9, 1907, fixing the max- is in a critical condition at Emergency steel plants at Bethlehem, Pa. They it is said. imum fare for passengers at 2 cents a Hospital. The police are looking for his will reach New York at 10 o'clock tomile, and also the orders of the rafiroad assailant. commission, made June 4, 1908, prescrib-

suits brought by the Oregon Railroad noon when a man whom he declared he and Navigation Company and the does not know cut his throat. He also Southern Pacific Company, respectively.
The suit by the Oregon Railroad and son as to why the assault was commitrestrain the enforcement of an order | ted. of the railroad commission of Oregon, made April 22, 1908, prescribing freight rates. The principal ground of attack was that the order and rates named would constitute an unconstitutional interference with interstate commerce. In the case of the Southern Pacific Company (in which the Oregon and Cali-fornia Railroad Company was joined as complainant), the suit was brought to restrain the enforcement of an order of the railroad commission made September 21, 1910, prescribing freight rates.

Passenger Rate Only.

The West Virginia rate case consisted of a suit brought by the Chesapeake and Ohio Railway Company to restrain the enforcement of the two-cent-passengerfare law of West Virginia, passed in 1907. Justice Hughes said the question of inerference with interstate commerce was decided in favor of the state for the reason assigned in the Minnesota rate decision. No question of confiscation was presented in the West Virginia case.

Rehearings Are Denied. From the Pittsburgh Post. Applications for rehearings of the cut- "It must be rough to lose the roof over rate patent decision and the Denver your head." water case were denied today by the Suforeclosed on your automobile."

CITY EXPERIENCES FIRST WARM DAYS

Thermometer Jumps Into Nineties, Giving Taste of Actual Summer Weather.

Washington experienced its second day of actual summer weather today, where the official thermometer out at the weather bureau, early in the day, climbed into the nineties-and then kept on climbing. A moderate breeze that swept the Missouri, Arkansas, Oregon and city during practically the entire day made the temperature decidedly more comfortable than it would have been had the breeze been absent; but even at that collars wilted, the asphalt-paved streets softened up, and pedestrians sought every patch of shade along the thoroughfares

A light haze of clouds that came over he sky about noon gave a promise of laws as to most of the railroads in that relief from the heat, but the weather man declared no rain was due to come from the clouds, which, he said, only presaged a little more breeze. No cessation from the warmth is to be expected for the next few days, the forecaster said; but nobody is complaining much as yet, as the present heat wave-which, by the way, envelops the entire country east of he Rocky mountains-is the first touch of Justice Hughes approunced the de- actual summer Washingtonians have ex-

Light Clothes in Order.

Cool drinks, palm leaf fans and the lightest clothes in the wardrobe were the order of the day today and yes- later Dr. Muller and his party boarded terday for masculine Washington, femininity of the capital adding plentiful In the majority of the Missouri cases supplies of talcum pewder to the above. conductors on the back ends of the motormen reasonably failed to reach, backed them up in the statement. So did the thousands of passengers who utilized the street cars as vehicles of flight from the waxy asphalt and torrid pavements to the greenery of the country. Through the greater part of the day the crowds traveling countryward taxed the capacity of the cars. Warm weather will prevail over about all of the United States early in the week. A disturbance will form in the west about Wednesday, but it will be of minor importance, the forecast sals, and will get no farther than the great lakes cent passenger law and the maximum by Friday. Maybe it will progress as far as the eastern part of the country by Saturday, and then again maybe it wil

First Heat Victims. first heat victim this season. He was of Brazil. taken ill yesterday afternoon, about 2 o'clock, while passing 622 Virginia ave- Department and the American govern-Kansas City Southern, the Mis- nue southeast. The police took him to ment generally will do everything posspuir. Kansas and Texas, the Chicago, Casualty Hospital. It is thought he will sible to enhance the present friendly and be able to leave the hospital tomorrow. west, suffered an attack of heat pros- by so conducting ourselves in Brazil as tration while at Maryland avenue and to win the regard of Brazilians. 41/2 street southwest last night, about 11 o'clock. He was taken to Casualty Hos-

ASKED TO VISIT OREGON. President Invited in Letter Deliv-

ered by Young Girl.



MISS MAYO METHOT.

President Wilson was asked today to visit Portland, Ore., in a letter written by Gov. Oswald West of Oregon and delivered to the President by Miss Mayo Methot, a young girl known as Counselor E. L. Chermont and Signor Leal of the Brazilian embassy, Third the "Portland rosebud." She is the of- Assistant Secretary of State Dudley ficial mascot of the delegation from Field Malone, John Bassett Moore, counher home city to the Associated Ad Club convention in Baltimore. Miss Methot, who is the daughter of

Portland delegation to the convention, was introduced to President Wilson by Senators Chamberlain and Lane of Other members of the con-

ASSAILANT CUT HIS THROAT.

Does Not Know.

ing maximum freight and passenger told the police, through an interpreter, West Point, making the trip on a tor- \$100 or imprisonment not to exceed three that he was working on Connecticut ave-nue between L and M streets this after-Thursday will be spent at Boston and The Oregon cases consisted of two nue between L and M streets this after-

ADMITS THEFT OF WATCH.

Elton Garner, Colored, Pleads Guilty to Robbing Simon Atlas.

Elton Garner, the young colored man arrested Saturday night by Policeman El- cians at Casualty Hospital, where she is liott on suspicion of stealing a watch from a patient, said today that her condition the store of Simon Atlas, 927 D street is critical. northwest, entered a plea of guilty when arraigned in the Police Court today, confessing that he entered the store and removed the watch from a showcase. As Garner has been convicted of larceny before, Assistant United States At- take. torney Ralph Given alleged "second offense" on the information against him. and he was held for the grand jury's action. Judge Pugh fixed bond at \$1,000. The watch was recovered.

Real Humiliation

"Yes; but think of having the mortgage

DR. MULLER OF BRAZIL INSPECTS STEEL PLANT Motor Boat of Commerce De-

Pays Visit to Lehigh University and Later Leaves on Train for New York.

SOUTH BETHLEHEM, Pa., June 16 .affairs of Brazil, now in this country, came to South Bethlehem today to inspect the plant of the Bethlehem Steel company. Dr. Muller and his party, accompanied by officials of the State Detrain and run directly into the plant of early this morning.

the steel company. In the absence of Charles M. Schwab, president of the company, who is in Europe, other officials of the corporation met the party at the offices in the yard. Dr. Muller, despite the many entertainments last week, and the night ride from Washington, looked fresh and appeared eager for the day's inspection.

Runs Into "Hottest" Weather. The hottest weather of the year greeted the Brazilian party. Breakfast was served the party in the dining room of propriate airs. After breakfast the South Americans were taken through the various departments of the steel works. A visit to Lehigh University and the local country club was enjoyed, and

their train for New York. NORFOLK, Va., June 16.-The Brazilian battleship Minas Geraes passed out the Virginia capes at 11:15 a.m. to-Even the motormen on the front ends day for New York, accompanied by the ister of foreign affairs.

Friendly Trade Relations Discussed With Dr. Muller by the Secretary of State

Dr. Lauro Muller, Brazilian minister of foreign affairs, left Washington at 12 o'clock last night for a tour of the United States, his last call in the capital, which turned out to be perhaps the most important he has made, being upon Secretary of State Bryan at the latter's home. The Secretary of State today said that John Wells, fifty-two years old. of 219 the United States is most anxious for a Pennsylvania avenue northwest was the large share of the commerce and trade

"I told the Brazilian minister of foreign affairs." Mr. Bryan said. "that the State John Hargraves, colored, twenty-two tween the two countries, and that we exyears old, residing at 334 B street south- pect to do our part in bringing this about A report that an understanding has been arrived at between Mr. Bryan and Dr. Muller, which was brought to the attention of the Secretary of State, was that he did not care to discuss it be-

yond saying that both countries are anxious to become better acquainted with each other. Mr. Bryan said he is of the opinion that Americans visiting in Brazil, or doing business there, can and will do much. unofficially, to promote the cause of closer commercial relations between the two countries by conducting themselves in a manner to win the appreciation of the Brazilian

Pays Farewell Call.

After Dr. Muller's talk with Mr. Bryan at the latter's home vesterday the Secretary of State paid the Brazilian minister of foreign affairs a farewell call at his hotel before his departure. The visit of the latter to Washington, which began last Wednesday, was said by him to have been greatly enjoyed. He does not expect to return to the capital, and his present tour of the United States, which is for the purpose of returning the visit paid to Brazil in 1906 by the then Secretary of State, Senator Root, will close at New York July 7. President Wilson's friendly reception last Wednesday, Secretary Bryan's cordiality and the recess by the Senate three features which Dr. Muller said pleased him most in his visit to the

Yesterday the Brazilian embassy staff gave Dr. Muller and his party a luncheon at the Chevy Chase Club. Among those present were Dr. Muller and his son, Lauro Muller, jr., the ambassador from Brazil and Mrs. da Gama, Dr. Regis da Oliviera, Brazilian minister to Cuba and Mrs. da Oliviera, Dr. Jose Carlos Rodrigues of the Jornal do Commercio, Rio de Janeiro; Dr. Helio Lobo, secretary of the special Brazilian mission; Capt. J. da Fonseca, Capt. Moreira, I. Moreira, Fonseca, Mauricio Carvalho da Azevedo and Candido

selor of the Department of State; Capt McCully of the Mayflower, Capt. Cole man, U. S. A., and Lieut. Rogers, U.

Party Travels in Special Cars.

The departure of the party last night was in two special cars, in charge of Secretary of State. Charles Lee Cooke, details of the trip, and in addition Dr. forwarded shortly to Congress. Muller was accompanied by Lieut. Arkansas rate cases consisted of two Pete Batla Assaulted by Man He Commander R. C. Bulmer, U. S. N., and

night. They will spend tomorrow Friday at Niagara Falls. The party will reach San Francisco June 27.

POISON DOSE MAY KILL

Miss Ethel Stevens in Critical Condition a: Casualty Hospital.

of mercury tablets in a glass of water and drained the contents of the glass, shows no signs of improvement. Physi-Mrs. Maude Sanford, 916 North Caro-

mistake, was able to leave the hospital Saturday night. She apparently suffered no bad effects as a result of her mis-

Elevator Falls With Automobile. An elevator in the automobile establishment of H. B. Leary, jr., 1321 14th street northwest, this morning about 10 o'clock fell from the second to the first floor. There was a \$3,000 car on the elevator

TARRAGON REACHES PORT BILL IS NEARLY READY FOR CAUCUS THIS WEEK

partment Brings Secretary Democratic Senate Leaders Law Finishing Revised Tariff

the free list in the tariff bill.

nanas, about 5 per cent.

currants was sharply reduced.

After Six Weeks.

schedule. Senator Hitchcock's amend-

sugar schedules are to be made effective

TRIAL GOES OVER TO JUL

stroth, Charged With II-

legal Liquor Sales.

It was agreed today by Judge Mul-

of the excise law, to let the trial of the

case go over until after July 1. The case

had been put in the jury assignment for

After some discussion it was thought

to be impossible to get twelve men out

unbiased on the question of Colden-

The hotel proprietor, who is accused

liquor after closing hours to other

than bona-fide registered guests of the

hotel, has been placed on trial twice

Two Previous Hearings.

In the first case, after some hours of

As the terms of members of the

present Police Court jury expire July

l, a new panel will hear the evidence

in the case when it is called.

stroth's guilt or innocence.

before for the same offense.

George W. Colden-

The "policeman" of the Department of Commerce, the motor boot Tarragon, docked at the bureau of fisheries wharf, at the foot of Water and O streets, this morning at 8 o'clock, with Secretary Red-Dr. Lauro Muller, the minister of foreign field and Assistant Secretary Sweet aboard. The little vessel left Baltimore mouth of the Potomac river at about 11 o'clock and came up the river and anchored off Colonial Beach early Sunday partment at Washington, arrived here at morning. After remaining there part of 3:30 a.m., in private cars after a hot, all- the day the vessel again started up the the agricultural schedule, making a night ride from the National Capital. No river, and reaching Alexandria about 3 number of reductions in duty. One instop was made in town, but the two pri- o'clock yesterday afternoon, stayed there crease, which was in effect a new duty, vate cars were detached from a regular during the night, starting for Washington is that which they placed upon ba-

Redfield From Baltimore.

Not on Official Business.

During the trip down the bay and up the Potomac river, according to As- by Senator Hitchcock to the tobacco ticket, sistant Secretary Sweet, no attempt was made to board vessels to ascertain ment proposed to levy a tax upon the against solely because of her color. whether or not they were violating the production of tobacco after a certain law. While admitting that there were point had been reached and was aimed reports of violations of the law in the at the tobacco trust, along lines sug-Saturday was made wholly for the pur- McReynolds. pose of getting first hand knowledge about the hoat.

As a result of the trip it is declared to be very likely that Secretary Redfield will recommend the construction of more of these yessels. While on the boat t was pointed out to the officers that they were to use discretion in imposing fines on vessel owners, and be lenient for first ouenses.

Huerta Government Takes Exception to Act by United States Consul.

The course of the American consul at Matamoras, Mexico, recently captured by Carranzista forces, in urging the federal band which took refuge in Brownsville, Tex., to return to the captured city, extending a promise of immunity from Gen. Blanco, the Carranzista chief, has been the subject of complaint to the United he was not at liberty to discuss the de- States by the Huerta government of tails of his conference with the Brazilian Mexico. Senor A. Algara R. de Terreros, minister of foreign affairs, beyond the charge d'affaires of the Mexican embassy in Washington, has laid the matter before the State Department here. Senor Arturo Elias, inspector general of keeper accused of violating a provision Mexican consulates in the United States. brought the alleged offense against the comity of nations before his government, and the Mexican embassy here. Senor tomorrow. Elias is now at San Antenio, Tex.

Sought Refuge in Texas City.

Advices from Brownville state that the band of the 6th Mexican Cavairy, part of the expelled garrison of Matamoras, crossed the Rio Grande during the battle and found asylum in the Texas city. As dismissed by him with the statement non-combatants they were not deprived of the first precinct with selling

Consul Johnson, it is reported in these dispatches, did request the band to return, giving the assurance of Gen. Consul Johnson explained, it desired in Matamoras, where it had ed that there was a hopeless division. been in the custom of giving public A few weeks ago he was again placed return to the city. He said that he was unable to agree on a verdict after understood that the bandsmen wanted being kept out nineteen hours. In disto return to Matamoras. The bands- charging them from consideration of men, however, did not elect to take ad- the case, Judge Mullowny censured vantage of his invitation.

JAMES F. HARVEY DEAD.

Was Formerly Superintendent of

Station B, P. O. Department. James F. Harvey, former superintendent of station B, of the Post Office Department, died yesterday at his home, 215

East Capitol street. Mr. Harvey, who for the past eight years had been employed at station B in a clerical capacity, having resigned the superintendency in 1905 because of ill health, left the place at 5 o'clock Saturday atternoon. Shortly after reaching hi shome he became ill, and his death followed yesterday. He was born in this wife, Mrs. Ida M. Harvey, and a daughter, Miss Marie Harvey, survive him. Mr. Harvey entered the Post Office Destation B and ten years later was appointed superintendent. He held that position for two years. Funeral services will be held at the disposition. family residence at 4 o'clock tomorrow afternoon. Interment will be in Oak Hill cemetery.

WRAPPED BREAD IN DISTRICT. Commissioners Are Favorable to Senator McCumber's Bill.

Sanitary wrapping of all bread manufactured or delivered in the District of Columbia may be provided for in the near future. The bill introduced by Senator Dudley Field Malone, third assistant McCumber for this purpose is being considered by the District Commissioners, State Department attache, is also a and a favorable report on the measire, member of the party, to arrange the it was learned today, probably will be The District heads, it is understood, be lieve that the measure not only is in the Capt. Le Vert Coleman, C. A. C., U. S. interest of health, but that it may be The former has been detailed as complied with without working a hardpany and the St. Louis Southwestern Railroad Company, to restrain the en-

Senator McCumber's bill provides that violation of the proposed law shall conthere. Wednesday they will be taken stitute a misdemeanor, punishment for Batla, who is unable to speak English, to inspect the Military Academy at which shall be a fine not to exceed

Noted Chemist Dies.

Frank Houston Wyeth, one of the best known chemists in Piladelphia and noted throughout the United States as a manufacturing chemist, died Thursday at his home in Philadelphia. He was seventy-seven years old. He had been ill for sev-Miss Ethel Stevens, twenty years old the firm of John Wyeth & Brother, Inwho last week dissolved three bichloride corporated, manufacturing chemists. He was born in Harrisburg, Pa., and had been a resident of Philadelphia since his boyhood days.

SWINEMEUNDE, Germany, June 16. The Greek steamer Monolaus today lina avenue southeast, who ten days ago rammed a car ferry while it was contook a bichloride of mercury tablet by veying a train loaded with passengers from Swinemeunde across the Swine to the opposite landing place, a half hour's but the skipper managed to beach the

vessel in time to save the passengers.

Greek Steamer Rams Car Ferry.

From the Chicago Journal. Little Bobby was told to sweep the sidewalk, and while he was doing so a friend came along.

Certainly Not.

CIVIL RIGHTS ACT VOID, SUPREME COURT RULES

tional in States Is Invalid in District of Columbia.

The "civil rights act" of 1875, held un-The principle of the countervailing constitutional as to the states many duty was adopted by the majority years ago in a series of famous decisions, members of the finance committee toabout 2 o'clock Saturday, reached the day in connection with cattle and meat, was today declared by the Supreme Court of the United States likewise null and wheat and flour, all of which go to void as to the territories, the District of The democratic senators worked for Columbia, the navigable waters of the the greater part of the morning on United States and the sea.

The point was decided in the case of Mary F. Butts of Everett, Mass., who sued the Merchants and Miners' Transportation Company for damages, under the law because she was required to eat at a second table and use soiled linen By an almost unanimous vote the majority members of the committee on a trip from Boston to Norfolk, on an turned down an amendment proposed occasion when she held a first-class

She averred that she was discriminated

General Rule Applied. In announcing the court's decision Jus-

Thesapeake bay, Mr. Sweet said the trip gested recently by Attorney General tice Van Devanter said that Congress had not intended to legislate separately for The duty on oats was retained at 8 the states, on the one hand, and for the per cent, but the duty on oatmeal was sea, and other places where the federal somewhat reduced. The duty on Vante government had exclusive jurisdiction, on the other, and so the law, being invalid as to the states, must be held invalid in

After six weeks of work on the Underwood tariff bill democratic leaders of the There were two civil rights bills. On Senate have nearly completed their task was an act designed to carry out the inand will have the revised measure ready tention of the thirteenth amendment to for the party caucus some day this week. Schedules remaining to be approved are which, it was alieged, the southern states which, it was alieged, the southern states were attempting to nullify by public and Never in the history of the political states. private action, and secure the political tax and administrative sections. equality of the ex-slaves with the whites. There are a few undecided points in con-The other was an act to exclude colored nection with the metal, cotton and wool persons from juries, and from equal schedules to be taken up, and the comprivileges in schools, public conveyances, mittee also has to determine upon a date hotels, theaters, etc. when the provisions of the wool and

Five Test Cases Considered.

There were five test cases in the Su preme Court of the constitutionality of the adult. the second bill, decided in one group, October term, 1893. Two of them were for hotel discrimination, two for theater discrimination and one for railroad discrim-The court held that certain sections o

the law were unconstitutional as applied to states, not being founded on either the thirteenth or fourteenth amendments.

ney for George W. Coldenstroth, the hotel Steamer Jesse Spalding Is Saved From Sinking Only by Watertight Holds.

SAULT STE. MARIE, Mich., June 16. of the panel of twenty-six now serving as jurors in the Police Court who were Capt. L. A. Garu of the steamer Jesse Spaulding, which arrived this forenoon out this morning that small contributions with a large hole torn in her bow, the are just as welcome as the larger ones. result of a head-on collision off Keeby Lieut. Harrison and the policemen wance, in Lake Superior, yesterday, tribute to the Fourth of July fund, inaswould say only that his vessel had collided with the Wilpen of the Shenango of the first order, and one by which all

High Seas Running.

According to the crew the Spaulding was saved from foundering only by her watertight compartments. When concerts, and as non-combatants, he arew weeks ago he was again placed ning and they were washing over the saw no reason why they should not on trial. The jury reported that it decks. The crew was ordered out and 200 tons of ore were thrown overboard. thus raising the bow and enabling the crew to place a canvas patch over the hole. Mrs. Garu, wife of the captain, was thrown out of her berth when the boats ruck and received bruises which required medical attention. The members of the crew were uninjured. The Spaulding is now lying at Brady pier, where repairs are being made.

fendants. The lower courts decided in

"Because of the error in disposing

ment must be reversed. Under the cir-

cumstances the mandate will be without

prejudice to the rights of the defendants

The declaration of the plaintiff con-

tained two counts, the first of which was

that the plaintiff was a school teacher in

the public schools of the District, and

cause, but combining and intending to

injure the plaintiff, wrongfully published

and filed with the clerk of the District

Supreme Court in an answer in a legal

proceeding to which they were defend-

ants, a libel concerning the plaintiff, re-

Mary E. Nalle was a teacher in the pub-

ic schools here for thirty years, when the

board of education removed her. The de-

fendants in the case composed the then

Colored Man Accused of At-

tacking Mrs. Thomas A.

Williams, Aged 80.

Maj. Sylvester this morning was

asked to have the police search for a

young colored man, a resident of Fair-

fax county, Va., who is wanted to

miles from Fairfax Court House, yes-

terday afternoon.
J. G. Allen of 1328 Wylie street north

east, son of Mrs. Williams, made the request of the police for the arrest. He stated that his mother, who lives

alone, was asleep yesterday afternoon

Neighbors Give Aid.

lating to her proficiency as a teacher.

favor of the defendants.

to plead to that count.'

board of education.

In announcing the opinion

LITTLE 'COLONEL'S' DEATH BRINGS SADNESS TO MANY

Cripple Newsboy, Familiar to U. S. Supreme Court Decides Georgetown, Dies of Bronchitis. **Against Former District**

Living Lesson in Optimism. Board of Education. The "Colonel" is dead. To many this means nothing, but the message is filled with sadness for the The Supreme Court of the United States scores of men, women and children today reversed the decision of the Dis-

who knew Charles Hilleary, the little trict Court of Appeals affirming a department in 1884 as a clerk. In 1893 he twelve-year-old cripple who sold newscision of the District Supreme Court in was made assistant superintendent of papers for several years at 32d and M the case of Mary E. Nalle, plaintiff, streets in Georgetown and spread hap- against James F. Oyster, W. V. Cox, piness by his cheerful smile and sunny Mary C. Terrell, Justina R. Hill, Ellen The "Colonel" died yesterday at his home, 1207 I street, and no more will

he drive care and gloom from many Supreme Court, Justice Pitney said: hearts and faces. No more will small boys go to him for advice and be the! the issue joined upon the demurrer to the first count of the declaration the judgbetter for his friendship. No more will men go up to him frowning and leave

Smiling always and ever ready with a happy retort for every remark, the little fellow was a favorite and a center of cheerfulness in Georgetown for a number of years. His nature, unchanged by his affliction, made him a living lesson in The influence of the "colonel" on the

boys of his neighborhood was strange to They did not taunt him with his affliction nor annoy him in the usual manner of small boys. Instead they helped him in every way they could, let him act as their leader, and were his friends.

Has Kind Word for Him.

The policeman on the beat, the hurryget a paper, the tired housewife—all had CDAVE a kind word for the boy as they passed, and received a brave smile in return. He never complained, never asked pity, was never depressed. The "Colonel" used to push himself

around in a little wagon, but recently has been using crutches. About two weeks ago he suffered an attack of bronchitis, and seemed to grow weaker and weaker as the days passed. Then his heart became involved and he dled early yesterday morning. . Many of his friends are expected to gather for the funeral, which is to be held tomorrow afternoon at 2 o'clock eral years. Mr. Wyeth was a member of from his family's home, with Rev. Dr. Bush, curate of St. John's Episcopal parish of Georgetown officiating. Interment will be in Glenweod cemetery. answer a charge of an attack upon Mrs. Thomas A. Williams, eighty years old, in her home at Colvin Run, seven

REFUSE TO TAKE SIDES.

Suffragists at Budapest Will Not

Commit Themselves on Militancy. BUDAPEST, Hungary, June 16.-The congress of the International Woman about 2 o'clock when the young man Suffrage Alliance started its real work entered the house and choked her. trip. The side of the ferry was crushed, today, under the presidency of Mrs. Carrie Chapman Catt of New York. An effort was made to secure an expression of opinion from the congress in attention of neighbors and several of regard to militancy, but the delegates them went to her assistance. Her as-

passed a resolution declining to commit however, and no trace of him was at Rehoboth Beach, Del. the congress for or against militancy on found. The affair was reported to the the ground that the constitution of the sheriff. alliance forbids interference in questions of national policy. The resolution how when the accident happened and it was damaged about \$1,000. The noise and dust suggested the possibility of an explosion and No. 9 engine company responded to a fire call.

"Hello, Bobby," said the lady. "Is your damaged about \$1,000. The noise and dust suggested the possibility of an explosion and No. 9 engine company responded to a fire call.

"Hello, Bobby," said the lady. "Is your development and to be summoned to a summoned to

CHILDREN TO GIVE AID ON INDEPENDENCE DAY

Declared Unconstitu- Total of Four Thousand Signify Desire to Take Part in Festival.

MR. CITIZEN Sixty-five thousand children are depending upon your good will in

order to suitably commemorate independence day. The joint Independence day committee has arranged a wonderful program-pageants, fol kplays, athletics, fireworks and exercises that will afford entertainment in honor

of our national holiday. You are an American and you want to see this day properly celebrated; you want the youth of our city to be impressed. To make this possible will require a con-

Testify to your love of country

and your interest in the 65,000 children that are depending upon you by sending a contribution, large or small, to George W. White, treasurer of the Independence day committee, National Metropolitan Bank. The men of 1776 did not hesitate, why should you? FINANCE COMMITTEE.

About 4,000 children have signified public celebration to be held in Washington July 4, according to a statement Alexander Craig of Chicago. made today at headquarters of the joint

Never in the history of the Washington schools, it was declared, have the teachers and pupils displayed such great dition. Special attention was given to interest in a public movement. This, it is the work of the Journal of the American said at headquarters, is felt to be natural, as Independence day is one of common interest, and appeals as strongly to the child, if not more so, than it does to

All arrangements for the big program to be carried out on the Fourth are proceeding rapidly at headquarters. An im- being made to curtail it," said the re portant meeting of the pageant committee of the Washington Center of the Drama League of America was held at Association to furnish data for use in the headquarters last night. The direct- the investigation of this subject by a ors and others considered the Fourth of trails and South Acres house July program in detail, and so perfected | data on the same subject. their arrangements that there may be coordination all along the line.

Details Nearing Completion. Reports from all other committees

charge of arrangements show that the details for the celebration are working in others. out with great success. There is only the south it is not prevalent, but is one element lacking at this time to ab- found most frequently in the large solutely assure the success of the In- cities and the central states. Seventydependence day arrangements. This is seven per cent of those questioned rethe need of contributions by the public garding the practice considered it unto the expense fund. Checks should be sent to George W. White, treasurer of the committee, at the office of the president of the National Metropolitan Bank. E. C. Graham, chairman of the finance committee for the celebration, pointed The committee feels that it is the duty much as it will be a public entertainment Tranportation Company of Cleveland. of the citizens of the District will benefit. pending upon the generosity and good will of the public to subscribe funds for

> Mary Speed Mercer's hymn called The old national songs to be of the Free" and "Dixie." Sanders & Islation. Stayman have donated the books con-

the patriotic chorus on the Fourth. It is

taining the music for the occasion.

Contributions to Date. Contributions to the Independence day fund announced today are as follows: ation of the different state legislatures Amount previously acknowledged, \$676.10; has been drafted. cash, 50 cents; R. Ross Perry, \$5; Hoge & McDowell, \$10; Lansburgh & Bro., \$10; the Charles Schneider Bros., Baking Company, \$10; M. Philipsborn & paring a report, which will shortly be is-Co., Inc., \$10; A. S. Worthington, \$10; sued, setting forth the best methods of Washington Fertilizer Company, \$15 William John Eynon, \$5; H. R. Sturtevant, \$1; Bernard R. Green, \$3; Hylas T Wheeler, \$10; Franklin & Co., \$5; A. J. Parsons, \$15; Dr. W. H. Wilmer, \$5; cial respiration, the causes of mine acci-

Ransome, \$1. Total, \$807.60.

nell, \$5; Lucy S. Patrick, \$1; Amy C.

HOLDS ITS COMMENCEMENT. St. John's Church Sunday School Awards Honors to Pupils.

The fifteenth annual commencement exercises of the Sunday school of St. report of the council on medical edu-John's Church, Georgetown, were held cation. yesterday in the presence of a large gathering of members and their S. Mussey and Barton W. Everman, de-

church, made an address, as did A. K. Parris, the superintendent of the Sunday school. Following a number of mement's notice. selections by the children, awards were announced as follows: A gold cross to Miss Evelyn Thompson and a silver watch to William Curtis, for excelience in Catechism. Diplomas were awarded to Miss Pearl Flaherty and Douglas Howden for Bible study. Honors for attendance were awarded to several of the that the defendants, without probable scholars.

FEDERAL AID FOR SCHOOLS.

New England Baptist Convention Adopts Resolution Favoring It. The new England Baptist conven-

MADE common schools.

Mr. Blair urged that the ministers who were present at the convention lend their assistance to a movement lend their assistance to a movement to provide funds for use by schools in the states. He said that a system of good common schools naturally made for the welfare of the nation, as the

> The convention adopted a resolution to set aside a day of prayer against legislation believed to be aimed at the colored race. During the debate on paign. the resolution Rev. J. C. Love declared The The work is to be actively carried on that prayer is all right, but that the this week, and it is expected that the colored man must first rid himself of entire \$10,000 needed to preserve the eshis faults. The visiting delegates will be received in the east room of the White House this afternoon by President Wilson. The convention will close to-night with a reception. The next meet-ing will be held in Bridgeport, Conn.

News Briefs.

James F. Rodgers, a building contractor. while superintending the erection of a building on Chestnut street, Hagerstown, Md., was shot and seriously injured. It is not known who fired the shot. Rev. Dr. E. C. Macnichol, pastor of the Mrs. Williams' screams attracted the Rising Sun. Md., Methodist Episcopal traveler. Church, has been granted a leave of ab-

sence by the official board until Septem-

ber, which he will spend at his cottage pers. The session of the Virginia court of appeals was suspended Thursday for service to the memory of Judge Archer A. Phleger, former member of the court.

PHYSICIANS MEET AT MINNEAPOLIS

American Medical Association **Opens Its Sixty-Fourth** Annual Session.

EXTENT OF "QUACKERY" DEPLORED BY TRUSTEES

Organization Growing Rapidly. Members Divided on Secret Division of Fees.

MINNEAPOLIS, Minn., June 16 .- The sixty-fourth annual session of the American Medical Association opened today with the first meeting of the house of delegates. Dr. Abraham Jacobi of New York presided. The meetings are held in the library of the main engineering building at the University of Minnesota. After the report of the committee on credentials and the organization of the house, the reports of the officers were presented. The membership of the association last year increased from 34.283 to 37,913, while the membership of the desire to participate in the pageant, folk fifty-two constituent associations during plays, dances and other features of the the year grew from 70,021 to 70,538, according to the report of Secretary Dr.

> There are 2,001 component county societies, organized in 2,961 counties in the United States. The report of the board of trustees showed the business of the association to be in a prosperous con-Medical Association in investigating and exposing frauds and nostrums

Quackery Regarded as Serious. "The 'patent medicine' business and

quackery has become so serious and widespread that a world-wide effort is Representatives of the British government have called on the American

tralia and South Africa have asked for The principal subject covered by the report of the judicial council was its investigation of the secret division of fees and the giving of commissions by surgeons and specialists. These so

in called evils exist, the council found, in In the New England states and in justifiable, while 13.40 per cent said

that it was justifiable and 9.30 per cent were doubtful. Council on Health Reports.

The report of the council on health and public instruction, presented by Dr. Henry B. Favill of Chicago, chairman, recommended the appointment of a standing committee on public education in each state. The press bulletin, according to the report, has been continued through this, its third year, and a weekly bulletin has been sent to approximately 5,000 newspapers and other publications throughout the year, this material being increasingly used by the newspaper publishers of the

country. There has been established at the headquarters of the association in Chicago a medico-legal bureau for the purpose of drafting laws and compiling Spangled Banner," "Columbia, the Gem authorities and references for the benefit of the Ocean," "Hail Columbia," "Flag of those interested in public health legauthorities and references for the benefit The committee on the prevention of

blindness reported the preparation of

model address on this subject, with 162

lantern slides to illustrate it, for use in educating the public on the prevention

Probing Mine Accidents. The committee on resuscitation is pre resuscitation to be used in mine accidents. This committee is now studying the best method of maintaining artifi-

Henderson, \$10; James O'Don- dents and their prevention. amounting to 166 in 1904, nearly one-, alf of the world's supply, has been decreased to 110, mainly through the merg ing of small schools and the d sappear ance of commercial medical colleges. "Marked improvement in medical colleges has been followed by an equally

marked improvement in the standards for admission to the practice of medicine in the different states," said the Dr. George N. Kober of Washington chairman of the committee on Red Cross work, reported that Red Cross organizations for relief in times of disaster had been organized in fiftyseven counties in twenty-four states,

and that these committees were prepared to undertake relief work at

Planning for a Monument. Plans are being made to erect a suitable monument to the army and navy surgeons, both northern and southern, who were killed during the civil war, according to the report submitted by Dr. S. Weir Mitchell, chair-

man of the memorial committee. Dr. Isadore Dyer of New Orleans, chairman of the committee on the completion of the Panama canal, recommended that the association ask Congress to establish a permanent monument in recognition of the sanitary work done in the Canal Zone, and tion, following an address by former that this monument take the form of Senator Henry W. Blair, at Cosmopoli- a hospital for tropical diseases, either tan Baptist Church today, adopted resolutions favoring federal aid for the States.

CASH TO SAVE BELMONT.

to induce the President and Congress Committee Has \$3,000 of the Necessary \$10,000 Fund

Nearly \$3,000 has been subscribed tocommon schools are the feeders of the ward the movement to preserve Belindustrial schools, the colleges and the mont at 14th and Clifton streets, as a public park, according to a statement made today by W. V. Cox, treasurer of the committee in charge of the cam-

tate for a year will be raised immedi-

A Small Fable. From the Pittsburgh Post.

A man was cast ashore on an unknown island, and found a high state of civilization. Artists painted beautiful pictures and singers sang mavvelous songs. To them he paid tribute. But there was a little withered man to whom poets, painters, everybody bowed "What has this man done?" asked the

"He has accumulated 3,000,000 cocoanut shells," they told him in awed whis-At first the traveler was inclined to laugh, but then he thought of conditions in his own country and became thought-